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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 08-0730 WHA

Plaintiff,

v.

MAURICIO URIAS, JUDITH SOSA,  
and JOHN LACSAMANA BRIEZ

**ORDER RE GOVERNMENT'S *EX PARTE* SUBMISSION CONCERNING  
HENTHORN COMPLIANCE**

Defendants.

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Based on the information provided in the government's *ex parte* submission concerning *Henithorn* compliance, the Court agrees with the government that it need not produce the portions of the testifying agents' personnel files at issue because they do not contain material information favorable to the defense pursuant to *United States v. Henithorn*, 931 F.2d 29 (9th Cir. 1991). In so ruling, the Court is relying on the government to have disclosed to it all circumstances that were material to evaluate each issue. For example, with respect to one agent's pre-employment arrest for public intoxication, if the government has information that the circumstances were more serious than were "reported by" the agent, that information should have been provided to the undersigned. No such information having been provided and trusting the government to have complied with its obligations, the Court is satisfied that nothing in the

**United States District Court**

For the Northern District of California

1 portions of the testifying agents' personnel files that were submitted for *in camera* review meets  
2 the standards for disclosure under *Henthorn*.

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4 **IT IS SO ORDERED.**

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6 Dated: January 13, 2010.

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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

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